

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL INSURANCE COMPANY a/s/o
L&M DIRECT LLC,

Plaintiff,

- against -

M/V MAERSK EINDHOVEN, her engines,
tackle, boilers, etc. *in rem*; OCEAN FEI
SHIPPING LIMITED; MAERSK A/S and MSC
MEDITERRANEAN SHIPPING CO. S.A., *in*
personam,

Defendants.

21 Civ. 08048 (AKH) (lead action)

Related cases:

22-cv-00797
22-cv-00810
22-cv-01239
22-cv-01261
22-cv-01266
22-cv-01270
22-cv-01272
22-cv-01274
22-cv-01317
22-cv-01330
22-cv-01355
22-cv-01368
22-cv-01474

**STIPULATION AND ORDER FOR CONSOLIDATION OF
CASES FOR PRETRIAL PURPOSES**

COME NOW THE UNDERSIGNED PARTIES by and through their respective counsel and/or in pro per and subject to the approval of this Court, hereby stipulate and respectfully request that the above-entitled action be consolidated for pretrial purposes with the following actions already accepted as related:

1. *Federal Insurance Company v. M/V Maersk Eindhoven et al*, 22-cv-00797;
2. *Indemnity Insurance Company of North America v. M/V Maersk Eindhoven et al*, 22-cv-00810;
3. *RLI Insurance Company v. MSC Mediterranean Shipping Company S.A.*, 22-cv-01239;
4. *Falvey Cargo Underwriting, Ltd. et al v. MSC Mediterranean Shipping Company S.A.*, 22-cv-01261;
5. *Coast Underwriters Limited et al v. MSC Mediterranean Shipping Company S.A. et al*, 22-cv-01266;
6. *Affiliated FM Insurance Company v. MSC Mediterranean Shipping Company S.A. et al*, 22-cv-01270;

7. *Continental Insurance Company et al v. MSC Mediterranean Shipping Company S.A.*, 22-cv-01272;
8. *Liberty Mutual Insurance Company v. MSC Mediterranean Shipping Company, S.A.*, 22-cv-01274;
9. *AGCS Marine Insurance Company et al v. Maersk A/S et al*, 22-cv-01317;
10. *Continental Insurance Company v. MSC Mediterranean Shipping Company S.A.*, 22-cv-01330;
11. *Affiliated FM Insurance Company et al v. MSC Mediterranean Shipping Company S.A.*, 22-cv-01355;
12. *AIG Insurance Co., China, Ltd. et al. v. M/V Maersk Eindhoven et al.*, 22-cv-01368; and
13. *Assicurazioni Generali S.P.A. v. New Chain Logistics Co., Limited*, 22-cv-01474.

The undersigned parties stipulate to consolidation of these actions pursuant to Federal Rule of Civil Procedure 42(a) on the grounds that: (1) the cases involve common questions of fact and law in that they all relate to claims of loss or damage to cargoes carried aboard the M/V MAERSK EINDHOVEN during the same voyage (no. 103N) on or about February 17, 2021; (2) consolidation will promote judicial efficiency, prevent duplicative discovery and motion practice and avoid inconsistent orders; and (3) consolidation will cause no demonstrable prejudice to the parties.

IT IS SO STIPULATED.

Dated: March 14, 2022

CASEY & BARNETT, LLC

/s/ Martin F. Casey

Martin F. Casey, Esq.

Attorneys for Plaintiff Federal Insurance Company in 21-cv-08048, 22-cv-00797, and 22-cv-00810

Dated: March 14, 2022

HILL RIVKINS LLP

/s/ Justin M. Heilig

Justin M. Heilig, Esq.

Attorneys for Plaintiffs RLI Insurance Company in 22-cv-01239; Falvey Cargo Underwriting Ltd. and Certain Interested Underwriters Subscribing to Policy No. MC-10000329 in 22-cv-01261; Coast Underwriters Ltd and Royal & Sun Alliance Ins. Co. of Canada in 22-cv-01266; Affiliated FM Insurance Company in 22-cv-01270; Continental Insurance Company and Hallmark Cards, Inc in 22-cv-01272; AGCS Marine Insurance Company and Bell Sports, Inc. in 22-cv-01317; Continental Insurance Company in 22-cv-01330; and Affiliated FM Insurance Co and Home Goods, Inc. in 22-cv-01355

Dated: March 14, 2022

NICOLETTI HORNIG & SWEENEY

/s/ Kevin J. B. O'Malley

Kevin J. B. O'Malley, Esq.

Attorneys for Plaintiffs Liberty Mutual Insurance Company in 22-cv-01274; and Assicurazioni Generali SpA in 22-cv-01474

Dated: March 14, 2022

LAW OFFICE OF JOHN F. RYAN

/s/ John F. Ryan

John F. Ryan, Esq.

Attorneys for Plaintiffs AIG Insurance Co., China Ltd and Axa Tianping Property & Casualty Ins. Ltd in 22-cv-01368

Dated: March 14, 2022

MONTGOMERY MCCrackEN
WALKER & RHOADS LLP

/s/ Timothy Semenoro
Robert O'Connor, Esq.
Timothy Semenoro, Esq.
Attorneys for Defendants Maersk A/S in 21-cv-08048, 22-cv-00797, 22-cv-00810, 22-cv-01317, and 22-cv-01368, and Hamburg Sudamerikanische Dampfschiffahrts-Gesellschaft KG in 22-cv-00810

Dated: March 14, 2022

LYONS & FLOOD, LLP

/s/ Jon Werner
Edward P. Flood, Esq.
Jon Werner, Esq.
Attorneys for Defendant MSC Mediterranean Shipping Company, S.A. in 21-cv-08048, 22-cv-01239, 22-cv-01261, 22-cv-01266, 22-cv-01270, 22-cv-01272, 22-cv-01274, 22-cv-01330, and 22-cv-1355

Dated: March 14, 2022

TISDALE & NAST LAW OFFICES LLC

/s/ Timothy J. Nast
Thomas T. Tisdale, Esq.
Timothy J. Nast, Esq.
Attorneys for Defendant JB Hunt Transport, Inc. in 22-cv-01317

Dated: March 15, 2022

SPECTOR RUBIN, P.A.

/s/ Andrew R. Spector
Andrew R. Spector, Esq.
Attorneys for Defendant Kuehne & Nagel Inc. d/b/a Blue Anchor America Line in 22-cv-01266

WHEREAS, the Court has accepted each of the above captioned lawsuits as “related cases” due to the fact that each arises out of the same voyage (no. 103N) of the vessel known as the M/V MAERSK EINDHOVEN and is brought by or in right of a shipper who lost cargo on said voyage; and

WHEREAS, it is the view of this Court that the above captioned lawsuits should be consolidated before a single district judge, and that consolidation for pre-trial purposes will facilitate the administration and disposition of these cases;

IT IS HEREBY ORDERED, that the above captioned lawsuits are administratively consolidated, at present for pre-trial purposes only, under the Master Case Number 21-cv-08048, which is the first filed of these cases, under the rubric “*In re: MAERSK EINDHOVEN Voyage 103N Shipper Cases*”; and it is further

ORDERED, that the caption to be used for as long as this order is operative shall be as follows:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re: MAERSK EINDHOVEN Voyage 103N
Shipper Cases

21 Civ. 08048 (AKH)

This filing related to: ALL CASES or to a
specific CASE NUMBER, as appropriate

And it is further,

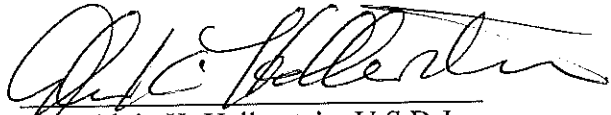
ORDERED, that if any party becomes aware of a case that should be consolidated into the matter known as *In re: MAERSK EINDHOVEN Voyage 103N Shipper Cases*, that party shall notify the court immediately; and it is further

ORDERED, that the parties are directed to file all future pleadings ONLY in Case No.

21-cv-08048-AKH.

Dated: New York, New York
March 16 2022

SO ORDERED.



Hon. Alvin K. Hellerstein, U.S.D.J.